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HARYANA GOVERNMENT

HUMAN RESOURCES DEPARTMENT

Notification

The 14th August, 2023

No.5/5/2022-2HR-II.— In continuation of instructions/notifications dated 30.05.2014, 27.08.2014 and 28.09.2018 already issued by Government to grant the benefit of compassionate appointment to one of the family member(s) of military personnel who were domicile of Haryana and killed in action in border skirmishes, terrorist attacks or riots, the Governor of Haryana is pleased to revise the policy of compassionate appointment to one of the eligible family members of Battle Casualty in any Department/Board/Corporation of Haryana Government as under :-

1.	Short title application and commencement of Policy:—
(a)	This Policy may be called the ‘Compassionate Appointment (for the family member of Armed Forces and Central Armed Police Force Battle Casualty) Policy, 2023.
(b)	This policy shall come into force from date of notification in official gazette and only the battle casualties, which occurred on or after the date of notification of this policy shall be considered in this Policy and where such benefits have not been awarded by any state Government to such battle casualty’s dependents so far.
2.	Object of the Policy:—
	The object of the Policy is to assist the family by way of compassionate appointment to one of the eligible family members of battle casualty of Armed Forces and Central Armed Police Forces, who was domicile of Haryana and killed in battle casualty, in addition to other benefits admissible to the family from the parent Department under Government of India.
3.	Definitions :—
	In this Policy, unless the context otherwise requires,-
(a)	‘ appointing authority ’ means as defined in Haryana Civil Services (Punishment & Appeal) Rules, 2016;
(b)	‘ central armed police force ’ means “armed police forces” under the administrative control of Ministry of Home Affairs, <i>i.e.</i> , Assam Rifles, Border Security Forces (BSF), Central Reserve Police Force (CRPF), Central Industrial Security Force (CISF), Indo-Tibetan Border Police (ITBP), National Security Guard (NSG) and Sashastra Seema Bal (SSB).
(c)	‘ Armed Forces ’ means armed forces established by Govt. of India through an Act of Parliament under Administrative control of Ministry of Defence, <i>i.e.</i> , Army, Navy, Air Force, Indian Coast Guard.

(d)	‘battle casualty’ means various kinds of incidents declared as ‘Battle Casualties’ by the Defence Authorities/ Ministry of Home Affairs, as the case may be, irrespective of any operation or any specified area of operation in which a member of Armed Forces or Central Armed Police Force is killed in harness, in the performance of bonafide official duties in war/IED Blast/terrorist or militant attacks/border skirmishes and in United National Peace Keeping Force including death in M.T. accident, Cardiac arrest, Air crash accident and Natural calamities which demand exceptional courage and decisions towards performance of duties.
(e)	‘compassionate appointment’ means an appointment made under this Policy to a post of civil service of Group B, C or D in any Department or Organization of Government of Haryana, subject to the eligibility for the post.
(f)	‘department’ means a department specified in the Business of the Haryana Government (Allocation) Rules, 1974, as amended from time to time;
(g)	‘Government’ means the Human Resources Department of Haryana Government.
(h)	‘Organization’ means any Board/Corporation/Statutory Body owned and controlled by Govt. of Haryana for the purpose of sanctioning of its budget, creation or filling up of posts, enactment of rules of pay leave, pension, etc;
4.	Eligible family member.—
	For the purpose of compassionate appointment under this Policy, the family of the Battle Casualty, includes—
	(a) spouse; or (b) if (a) above does not want appointment, one of the children (married or unmarried); (“to be specified by the spouse, or in absence of spouse, by the parents of Battle Casualty.”) Note.— It also includes legally adopted children provided the adoption was done when the deceased soldier/battle casualty was alive.
	(c) either parent, if the battle casualty was unmarried; (d) if neither of the parent want appointment, either the brother (Unmarried or Married) or an unmarried sister of an unmarried battle casualty, for which consent is to be given by parents and other unmarried sister(s) and brother(s).
	Note 1.— The consideration shall be admissible even if one or more members of the family of martyr/battle casualty is/are already in service. Note 2.— The claim of appointment of a minor or orphan shall remain alive till such child becomes eligible. Note 3.— District Sainik and Ardh Sainik Welfare Officer shall be responsible to visit the family of battle casualty and assist the family in acquiring all benefits including completion of application forms, co-ordinating with Defence/Central Armed Police Force authorities for required documents etc.
5.	Procedure for submission of application and action thereon.—
(a)	Application for grant of compassionate appointment as prescribed at Annexure ‘A’ has to be filed by one of the eligible family members with the District SASW Officer within a period of three years from the date of battle casualty. As per clause (4) above, application can be filed by:- (a) any of the eligible family member. (b) In case where none of the son/daughter of the deceased is major, the time limit of three years will be exempted and in such event the application can be filed after attainment of age of 18 years and up to the age of 25 years by the eligible elder son/daughter, as the case may be.
	Note 1.— A ‘No Objection Certificate’ as at Annexure C shall also be submitted by all the eligible family members (as mentioned in Annexure A) other than the member whose name is recommended for compassionate appointment. Note 2.— Old cases shall not be considered in this Policy and shall be considered under instructions/ notifications dated 30.05.2014, 27.08.2014 and 28.09.2018 already issued by Government.
(b)	(a) On receipt of application, the concerned Sainik and Ardh Sainik Welfare Officer shall scrutinize the documents of the applicant relating to domicile status of battle casualty, and next of kin, certificate of battle casualty issued by respective authority controlling the Armed Forces/Central Armed Police Force, age and educational qualification of applicant, no objection certificate of other eligible family member(s) and submit the same to the concerned Deputy Commissioner alongwith his report.

	(b) The Deputy Commissioner shall also examine the case and forward to the Directorate of Sainik and Ardh Sainik Welfare Department who shall also scrutinize the documents and shall forward to the Chief Secretary to Government, Haryana, Human Resources Department (HR-II Branch) with his comments in the form at Annexure 'D' for further necessary action. The final decision shall be taken by the Human Resources Department for appointment to a suitable post and necessary directions shall be given to the Department concerned for issuing appointment letter against the vacant post of Group B, C or D, as the case may be, for the category to which the applicant belongs.
(c)	(a) Where the spouse has requested for compassionate appointment to his/her son or daughter of the battle casualty under this Policy, in that case the Sub Divisional Magistrate or City Magistrate and the District Sainik and Ardh Sainik Welfare Officer of the area concerned shall together meet the spouse in a one to one meeting to ascertain his/her views, even if he/she has given no objection certificate for this purpose.
	(b) Where the application is submitted by a family member either eligible brother (married or unmarried) or unmarried sister of the battle casualty (in case the battle casualty is unmarried) for compassionate appointment, in that case the Sub Divisional Magistrate or City Magistrate and the District Sainik and Ardh Sainik Welfare Officer of the area concerned shall together meet the parents in a one to one meeting to ascertain the views of family members, even if the remaining family members have given no objection certificate for this purpose.
6.	Post to which appointment can be made.—
(a)	If the battle casualty of Armed Forces or Central Armed Police Force was holding the post of Group C or D, the compassionate appointment under this Policy shall be admissible to a vacant post of Group C or D which can be filled by direct recruitment provided the applicant fulfills the requisite qualifications.
(b)	Where the battle casualty was holding the post of Group A or B, the appointment to any of the following posts of Group B shall be offered :- (i) Assistant Registrar Co-operative Societies in the Department of Cooperation. (ii) Traffic Manager in the Transport Department. (iii) Assistant Employment Officer in the Employment Department. The category of posts and/or departments mentioned above can be changed by the Government whenever required. Note:- The status of the battle casualty and higher qualification of the applicant shall not create any right for appointment to a particular post or Department/Organization.
(c)	For appointment to a post of Group C or D, the suitable post shall be selected by the Human Resources Department keeping in view the qualification of the applicant and availability of vacancy in any Department or Organization of Haryana Government. However, for appointment to a post of Group B, the name of the applicant shall be considered by the Human Resources Department for appointment against the posts of Group B as mentioned in sub-para b) above for which the applicant fulfills the requisite qualification and experience, if required, depending upon availability of vacancy of direct recruitment in a Department or Organization of Haryana Government. For this purpose a counseling with the candidate will also be arranged by the Human Resources Department for appointment to a post of Group B.
(d)	The applicant should be eligible and suitable for the post in all respects under the provisions of the relevant recruitment rules.
(e)	A person selected for appointment under this Policy shall be adjusted in the recruitment roster against the appropriate category viz., Scheduled Caste/Scheduled Tribes/Backward Classes/General depending upon the category to which the applicant belongs.
(f)	The Department shall withdraw the post (from the register to be maintained not to be advertised) from Haryana Staff Selection Commission or Haryana Public Service Commission, as the case may be, if not advertised by them.
7.	Undertaking by way of an affidavit :—
	A person appointed under this Policy/scheme shall give an undertaking in writing as at Annexure 'B' that he/she shall maintain all other members of the family who were completely dependent on the battle casualty. On receipt of any complaint from the family members, the same shall be got examined by the Head of Department from the concerned Deputy Commissioner and if it is proved that the family members are being neglected or are not being maintained by the person so appointed, his/her appointment shall be terminated forthwith after serving a notice of showing cause of negligence. A condition to this effect shall also be inserted by the appointing authority in the appointment letter.

8.	General :—
(a)	Appointment shall not be denied or delayed merely on the ground that re-structuring in the Department/ Organization is under consideration. It shall be finalized expeditiously as far as possible.
(b)	Appointments under this Policy shall be—
(i)	out of the purview of the Approved Agency, Haryana Pubic Service Commission, Staff Selection Commission Haryana or the Employment Exchange.
(ii)	exempted from the observance of general order banning the new appointments due to economy measures.
(c)	Once an appointment has been offered to the eligible family member, no request for change of post shall be entertained with respect to any other post or department. In case, the offer of appointment is not accepted within the prescribed period (as mentioned in appointment letter) no further claim shall be entertained.
(d)	Any appointment made under this Policy shall not be transferred to any other person and any request (for any change on considerations of compassion) shall invariably be rejected.
9.	Power to relax or remove the difficulties. —If any doubt arises relating to the application, interpretations and scope of this Policy, it shall be referred to the Government in Human Resources Department (HR-II Branch) and Human Resources Department will have the power to interpret, change, amend, relax and removal of doubt(s), and whose decision shall be final.

SANJEEV KAUSHAL,
Chief Secretary to Government Haryana.

Annexure-A*[See Para-5 (a)]**(Application for Compassionate Appointment from the family of battle casualty)*

To

The Deputy Commissioner,

Subject: Application for compassionate appointment under the 'Compassionate Appointment (for the family member of Armed Forces and Central Armed Police Force Battle Casualty) Policy, 2023.'

Sir/Madam,

It is submitted that Sh./Kumari/Smt. _____ s/o, d/o, wd/o battle casualty
 Shri _____ who was killed on _____ during _____
 at _____.

It is requested that compassionate appointment may kindly be given to _____
 wife/son/daughter/brother/sister of Shri/Smt. _____ who was killed in battle casualty, the
 particulars of the candidate are as under:-

1.	Name of Martyr/battle casualty					
2.	Department (Defence/Ministry of Home affairs/DGP)					
3.	Date of Battle casualty in certificate					
4.	Full residence Address of martyr/battle casualty					
5.	Rank of Martyr/battle casualty					
6.	Post last held					
7.	Group of the post last held					
8.	Pay Scale of the post last held					
9.	Name of the family member to be recommended for appointment					
10.	Relationship of the candidate with the martyr/battle casualty					
11.	Date of birth of the candidate					
12.	Category of the candidate (General or Reserve Category) (Specify Category)					
13.	UIDAI Number/Aadhar Number					
14.	Detail of the educational qualification of the applicant					
15.	Detail of family members of martyr/battle casualty					
Sr. No.	Name	Age	Relation	Moveable Immovable Property	Monthly Income	Any other Information
16.	If compassionate appointment under this Policy is to be given to person other than widow then No Objection Certificate from other dependent of the category members is to be attached.					
17.	Any other information					

Date:

Signature of Spouse
 (If not, by the Head/Eldest Member of the family)
 Full Address

Annexure 'B'*(See Para 7)****(AFFIDAVIT regarding maintenance of other family members)***

I, _____ wife / son / daughter of Martyr / Battle casualty Shri _____ aged _____ years resident of Village _____ Post Office _____ Tehsil _____ District _____ do hereby solemnly affirm and declare that I shall maintain properly all the members of family who were dependent on the battle casualty Shri _____ who has been killed in battle casualty on _____ and in case it is proved at any time that the family member(s) is/are being neglected or not being properly maintained by me, my services may be terminated and I shall have no claim whatsoever, against the Government.

Place:

Dated:

DEPONENT**Verification**

I, _____ the above deponent do hereby solemnly affirm and declare that the above statement of mine is true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Place:

Dated:

DEPONENT

Annexure 'C'*[See Para 5 (Note 1)]***(AFFIDAVIT by other family members)**

I, _____ son / daughter / brother / sister of martyr / battle casualty Shri _____ who was killed in battle casualty, resident of (village / name of city) _____ Tehsil _____ District _____ solemnly affirm and declare as under that —

1. I have no objection if Sh./Smt./Kumari _____ my brother/sister is offered compassionate appointment due to death of my _____ Sh./Smt./Kumari _____ on _____.
2. That I am ready to surrender the compassionate appointment in favour of Sh./Smt./Kumari _____ who is my _____.

DEPONENT**Verification**

I further hereby declare that the information given in the application from under the ex-gratia Policy and in the affidavit is correct and true to the best of my knowledge and belief and nothing has been concealed therein.

Place :

DEPONENT

Date :

Annexure 'D'*[See Para 5 b) (b)]***To**

**The Chief Secretary to Govt. Haryana
(in Human Resources-II Branch)
Haryana Civil Secretariat, Chandigarh.**

Subject: Compassionate appointment under the 'Compassionate Appointment (for the family member of Armed Forces and Central Armed Police Force Military Personnel killed in Battle Casualty) Policy, 2023.'

Sir/Madam,

Kindly refer to Haryana Govt. notification no. _____ dt. _____ on the subject noted above. The relevant information is as under:-

1	Name of the martyr/battle casualty:	
2	Department (Defence/Ministry of Home affairs/DGP)	
3	Date of death of Battle casualty in certificate	
4	Full residence Address of martyr/battle casualty	
5	Rank of martyr/battle casualty	
6	Post last held	
7	Group of the post last held (A/B/C/D)	
8	Pay Scale of the post last held	
9	Name of the family member to be recommended for appointment	
10	Relationship of the candidate with the battle casualty	
11	The post of which Group the family member is entitled for compassionate appointment under the rules	
12	Application alongwith Annexure B and C is enclosed in original	
13	Date on which the application for the compassionate appointment was given by the family member	
14	Category to which applicant belongs. (General category or reserved category):	

Recommended for compassionate appointment to Sh./Smt./Kumari _____ who is _____ of martyr/battle casualty Shri _____.

Place:

Signature of the District Commissioner

Date:

- List of Enclosures: (1) Application from the family.
(2) Affidavit from the applicant.
(3) Affidavit from the other family members.
(4) Copy of certificate of battle casualty issued by GOI.
(5) Copy of educational Certificate(s) and other documents.